

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT GENE McNEELY,

[1:02-cv-05385-AWI-LJO-P](#)

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 96)

vs.

**ORDER GRANTING MOTION FOR
SUMMARY JUDGMENT** (Doc. 87)

PERRY, et al.,

Defendants.

**ORDER DIRECTING CLERK TO ENTER
JUDGMENT FOR DEFENDANTS**

Robert Gene McNeely ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On May 4, 2006, the Magistrate Judge filed [Findings and Recommendations](#) herein which were served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty (30) days. On May 19, 2006, Plaintiff filed objections to the Magistrate Judge's Findings and Recommendations.

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed May 4, 2006,
8 are ADOPTED IN FULL;

9 2. Defendants' Motion for Summary Judgment, filed December
10 6, 2005, is GRANTED; and,

11 3. The Clerk of Court enter judgment in favor of
12 Defendants.

13
14 IT IS SO ORDERED.

15 **Dated: July 22, 2006**
16 0m8i78

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE